

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

**Supplement Manufacturing  
Partner, Inc. d/b/a SMP Nutra,**

Plaintiff;

v.

**William Cartwright,**

Defendant.

Case No. 2:23-cv-06585-JMA-AYS

**SUPPLEMENTAL  
DECLARATION OF  
STEVEN MILANO**

I, STEVEN MILANO, declare as follows:

1. I am the President of Supplement Manufacturing Partner, Inc. (“SMP Nutra” or the “Company”). I am over 18 years old and not a party to this lawsuit. I provide this declaration based on my personal knowledge of the events described herein, and documents and records created and maintained by SMP Nutra during its ordinary course of business. If called as a witness, I can testify to the truth of the statements below.
2. SMP Nutra is a corporation and not a legal partnership. However, several months after SMP Nutra was formed, I was given the informal title of Managing Partner, which I have exclusively held ever since. While employed by SMP Nutra, William Cartwright consistently held the title of Chief Marketing Officer and was responsible for maintaining and updating the Company’s website at <www.smpnutra.com>.

3. On August 29 at 1:44 PM, SMP Nutra emailed Mr. Cartwright and his attorney, Mitchell Birzon, a termination notice and separation agreement. Copies of the email and termination notice are attached hereto as **Exhibit 1**.
4. SMP Nutra subsequently obtained a letter sent by Mr. Birzon to an assistant district attorney in Suffolk County, dated September 21, 2023, regarding the criminal prosecution of Robert Zorn for theft of SMP Nutra property. The letter and its two exhibits are attached hereto as **Exhibit 2**.
5. Exhibit A to the letter was an email with a header showing that it was printed from my email account on September 6, 2023, at 6:24 AM, and which contained confidential discussions regarding samples and SMP Nutra's pricing.
6. Exhibit B to the letter was an email with a header showing that it was printed on August 31, 2023, at 6:31 AM, followed by an SMP Nutra QuickBooks report. Although the source was omitted or redacted from the header, it was clearly taken from an SMP Nutra email account, and the URL in the footer lists the same mail ID as found in my email in Exhibit A ("AAQkADYwMTgxZTExLWEzNWUtN . . .") Both the email and QuickBooks report contained extensive information on SMP Nutra's pricing.
7. I did not provide these confidential documents to Mr. Birzon or Mr. Zorn, and they never had access to my Outlook account.
8. Both emails were printed after Mr. Cartwright's termination on August 29, 2023.
9. Even after his termination, Mr. Cartwright continued to access SMP Nutra email accounts. As a supplement to evidence previously submitted on this point, attached as **Exhibit 3**, is a screenshot of Mr. Cartwright's unauthorized searches in my email

account, including “free sample” and “gummy price,” made on or after August 31, 2023.

10. While investigating the website of Mr. Cartwright’s new venture, Nutra Seller, SMP discovered videos containing footage from the facility of an SMP vendor, [REDACTED]. We informed [REDACTED] of this discovery and, upon further investigation, found that Mr. Cartwright had copied the footage and images from [REDACTED]’s promotional videos and cropped out its logo.

11. The SMP Nutra team was first introduced to [REDACTED] through [REDACTED], its co-founder and co-CEO, at the SupplySide West 2022 tradeshow.

Mr. Cartwright attended that tradeshow as a member of the SMP Nutra team.


12. I recently had lunch with [REDACTED] from [REDACTED], and we talked about Mr. Cartwright’s outreach to him in January 2024. [REDACTED] did not recall Mr. Cartwright by name and said that he was not a friend, much less a close one. [REDACTED] also told me that he and Mr. Cartwright have not spoken since.

13. SMP Nutra’s HubSpot contact list includes the address <admin@mbinsure.com> under the first name “MB” and last name “Admin.” A copy of the contact card is attached as **Exhibit 4**.

14. SMP Nutra’s HubSpot contact list includes several addresses for Mr. Cartwright, including the address <willc2693@gmail.com>.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: February <sup>26</sup>\_\_\_\_, 2024  
Suffolk\_\_\_\_, New York

DocuSigned by:  
  
CDBB24B5EA7144C...  
Steven Milano